

1 Neal R. Marder (SBN 126879)  
2 *nmarder@winston.com*  
3 Erin R. Ranahan (SBN 235286)  
4 *eranahan@winston.com*  
5 Andrew S. Jick (SBN 278943)  
6 *ajick@winston.com*  
**WINSTON & STRAWN LLP**  
333 South Grand Avenue, 38th Floor  
Los Angeles, CA 90071  
Telephone: (213) 615-1700  
Facsimile: (213) 615-1750

7 Attorneys for Plaintiff  
8 WINERY EXCHANGE, INC.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

WINERY EXCHANGE, INC.,

Plaintiff,

vs.

7-ELEVEN, INC., a Texas corporation;  
and DOES 1 through 10,

Defendants.

**Case No. CV11-6325-EMC**

**JOINT CASE MANAGEMENT STATEMENT** ; ORDER RESETTING STATUS

**[Fed. R. Civ. P. 16 and 26;  
Civil L.R. 16-9]**

**Subsequent Status Conference:  
12/11/12, 10:30 a.m., Courtroom 5, 17<sup>th</sup> Floor**

Pursuant to Federal Rules of Civil Procedure 16 and 26(f), Northern District of California Civil Local Rule 16-9, and the Court's Standing Order, Plaintiff Winery Exchange, Inc. ("Plaintiff") and Defendant 7-Eleven, Inc. ("Defendant," and collectively, the "Parties") respectfully submit this Case Management Statement, reporting progress or changes since the last statement was filed.

## **SETTLEMENT AND ADR**

Since the last statement was filed, the Parties reached a settlement in principle during their November 14, 2012 mediation with the Honorable Judge Infante. The Parties are working to finalize the settlement agreement and expect to submit a dismissal of this action within the next several weeks. Accordingly, to conserve resources of the parties and the Court, the parties would request that the Court continue the December 11, 2012 status conference until January 2013 or later, by which time the parties expect that this matter will be dismissed and closed.

Dated: December 4, 2012.

Dated: December 4, 2012.

# WINSTON & STRAWN LLP

ARNOLD & PORTER LLP

By: /s/ *Erin R. Ranahan*  
Neal R. Marder  
Erin R. Ranahan  
Andrew S. Jick  
Attorneys for Plaintiff  
WINERY EXCHANGE, INC.

By: /s/ James F. Speyer  
James F. Speyer  
John D. Lombardo  
Gabriel N. White  
Attorneys for Defendant  
7-ELEVEN, INC.

IT IS SO ORDERED that the status conference is reset from 12/11/12 to 2/7/13 at 10:30 a.m. An updated joint status report shall be filed by 1/31/13. The Status will be vacated once a stipulation for dismissal is filed.

Edward M. Chen  
United States District Judge

